HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 4225 OF 2005

DATED: 29.12.2005

Between:

K. Venkat Rao

… Petitioner

and

The Regional Provident Fund Commissioner,

(Ministry of Labour, Government of India)

and others.

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.4225 OF 2005

ORAL ORDER:

The petitioner's date of birth in the Provident Fund records was erroneously registered as 20.5.1957 instead of 1.7.1949. By the letter dated 12.7.2005 issued by the Assistant Provident Fund Commissioner, Kukatpally to the Assistant Provident Fund Commissioner, Regional Office, Hyderabad, a copy of which is marked to the petitioner, the petitioner's date of birth as recorded in his Provident Fund A/c No. AP/3071/11115 is changed to 1.7.1949 and the error corrected. Consequently, the petitioner becomes eligible for drawal of pension, on the basis of his corrected date of birth.

The grievance in the writ petition is as regards the non-payment of monthly pension under the Employees' Family Pension Scheme, 1995 with effect from 16.12.2001, the date of the petitioner's retirement from service on superannuation.

In view of the fact that the petitioner's date of birth has been corrected in the Provident Fund records and there is no impediment to the processing of the petitioner's claim for payment of family pension, the writ petition is disposed of, after hearing the learned counsel for the petitioner and Smt. Kavitha Yadav, learned counsel for the respondents 1 and 2, directing the 1st respondent to process, sanction, and pay the family pension to the petitioner including the arrears of family pension with effect from 16.12.2001, within a period of two months from the date of receipt of a copy of this order. There shall however be no order as to costs.

GODA RAGHURAM, J

Date: 29.12.2005

Cvm